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PAID ABSENCE PROVISIONS IN ONTARIO COLLECTIVE BARGAINING AGREEMENTS

JUNE 1976

- . COMPANY PAY FOR UNION BUSINESS
- . JURY DUTY AND BEREAVEMENT LEAVE
- . REST PERIODS AND WASH-UP TIME

Number 21

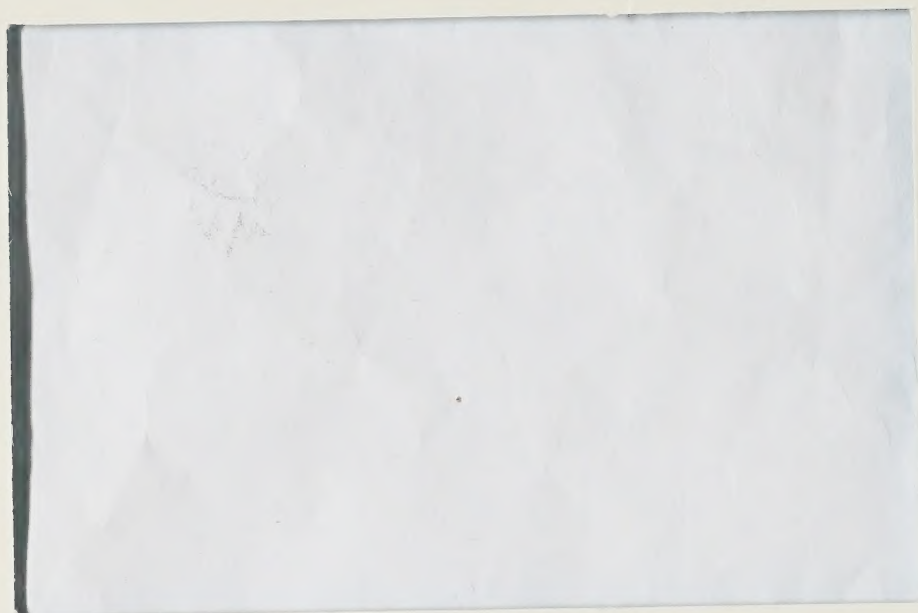


Ontario
Ministry of
Labour

Research
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Toronto
Ontario





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COLLECTIVE BARGAINING AGREEMENTS

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Research Branch

Ontario Ministry of Labour

February 1977

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Minister

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FOREWORD

This paper is designed to give quick access to current information on major elements of paid absence provisions in Ontario collective agreements.

Detailed tables on the main provisions, broken down by industry, have been prepared to provide information that will be useful in bargaining situations. For quick reference, the tables are preceded by a summary of their contents.

The information presented was drawn from an analysis of all Ontario collective agreements covering bargaining units of 200 or more employees working in industries other than construction. As of June 1976, when the analysis was prepared, there were 891 such agreements, covering 761,337 employees, on file with the Collective Agreements Library of the Ministry of Labour.

This report was prepared by Beth Kendall. For further information, please call 965-6886.

COMPANY PAY FOR UNION BUSINESS

Many agreements provide that union representatives, shop stewards, shop chairmen receive full or partial pay for time spent away from their regular work to attend to their in-plant responsibilities on behalf of the union. These responsibilities include grievance and arbitration work, negotiation agreement and participation in joint labour-management activities.

GRIEVANCE PAY

The most common provision for pay for time spent on absence for union business was for handling grievances found in 674 or 76 per cent of the 891 agreements studied, covering 73 per cent of the employees (see Table 1). All industries except clothing and provincial administration provided pay for grievance handling, though the provision was less frequent in agreements in the paper, printing, wood products, forestry and transportation industries.

Only thirty-four of the agreements also provided pay for time spent on the arbitration of grievances.

NEGOTIATION PAY

Paid time off to negotiate the collective agreement was provided in 241 or 27 per cent of the agreements, covering 21 per cent of the employees. This provision was most common in transportation equipment, electrical products, education and health agreements.

SAFETY COMMITTEE PAY

Pay for time spent on safety committee work, such as attending safety committee meetings or making plant safety inspections was given in 11 per cent of the agreements studied, covering 17 per cent of the employees. This provision was most prevalent in the metal fabricating and electrical products industries.

INDUSTRIAL RELATIONS COMMITTEE PAY

A small number of agreements, 8 per cent, provided time off with pay to union representatives who served on joint labour-management committees established to deal with particular industrial relations problems. This provision occurred most frequently in education and health contracts.

PAY FOR UNION-MANAGEMENT MEETINGS

In 366 or 41 per cent of the agreements, covering 47 per cent of the employees, union representatives were granted pay for time spent at meetings with management to discuss "mutual problems", "matters arising out of the agreement", "matters of common interest". This provision was particularly frequent in paper, transportation equipment, education, health, federal and local administration.

The following tabulation shows that company pay for time spent at general union-management meetings, agreement negotiations and industrial relations committee activities was somewhat more frequent in non-manufacturing than in manufacturing industries, due to the large number of such provisions in health, education and, to some extent, in local and federal administration agreements. Safety committee pay provisions, on the other hand, were rare in non-manufacturing agreements.

<u>Paid Time off for</u>	<u>Per cent of Agreements</u>		
	<u>All Indus-</u>	<u>Manufac-</u>	<u>Non-Manufac-</u>
	<u>tries</u>	<u>turing</u>	<u>turing</u>
Grievance handling	76	79	72
Agreement negotiations	27	25	30
Safety committee work	11	16	5
Industrial relations committee work	8	5	11
Union-management meetings ..	41	38	44

PAID LEAVE OF ABSENCE FOR JURY DUTY AND BEREAVEMENT

Most agreements contain provisions for paid leave of absence to serve on juries and on the occasion of a death in the family.

JURY DUTY

Of the 891 agreements studied, 84 per cent, covering 77 per cent of the employees, granted pay to an employee for working time spent on jury duty or as a court witness (see Table 2).

As the following tabulation shows, 86 per cent of the agreements with jury duty provisions paid the difference between the employee's regular pay and the amount of the jury duty fees received.

<u>Amount of Jury Duty Pay</u>	<u>Number of Agreements</u>
Total with provision	744
Regular pay plus jury duty fees	7
Difference between regular pay and jury duty fees	639
Other	7
Not specified	91

Forty-nine agreements (7 per cent of those with jury duty provisions) placed a limit on the number of days for which the employee would be paid per specified period, usually calendar year. This limit ranged from 3 days to 60 days, with over half restricting the time to 60 days.

BEREAVEMENT LEAVE

As Table 2 shows, 95 per cent of the agreements studied, covering 93 per cent of the employees, provided time off with pay in the event of a death in the family. The definition of the family invariably included spouse, parents and children but differed considerably on the inclusion of other members of the family.

The duration of paid bereavement leave ranged from one day to eight days, with the majority of the plans (88 per cent) providing a maximum of three days. Some of the plans, notably those in the federal administration, granted additional paid time off for travel to attend the funeral.

A number of the plans provided shorter periods of paid leave for death of relatives other than those in the immediate family. Forty per cent of the agreements studied, covering 33 per cent of the employees, granted paid leave for death of "close" relatives such as in-laws, with the majority of the plans providing one day's leave (83 per cent). A few of the plans that granted three or more days for "close" relatives also provided lesser time of one or two days' leave for "other" relatives such as grandparents.

Some of the plans, especially those that allowed more than one day's bereavement leave for "close" and "other" relatives, as in education agreements, stipulated that such leave would be deducted from accumulated sick leave credits.

The following tabulation shows the maximum days of bereavement leave provided for members of the immediate family and close relatives.

<u>Maximum Days of Bereavement Leave</u>	<u>Number of Agreements</u>	
	<u>Immediate Family</u>	<u>Close Relatives</u>
Total with provision	848	356
One day	2	297
Two days	5	17
Three days	743	12
Four days	57	1
More than four days	17	5
Other	24	24

PAID REST PERIODS AND WASH-UP TIME

Many agreements allow employees paid time off the job for purposes of rest and relaxation. Less common are provisions for paid time for washing up and related activities involved in leaving the job for lunch or for the day.

REST PERIODS

Sixty-six per cent of the 891 agreements studied, covering 59 per cent of the employees, paid for short periods of time away from the job for rest, relaxation, coffee break, "smoking time". These provisions were less frequent in paper, printing, primary metal, machinery, mining industries and local administration.

As the following tabulation shows, two rest periods of ten minutes each and two periods of fifteen minutes each were the most frequent, occurring in 43 per cent and 35 per cent of the provisions, respectively.

<u>Duration of Rest Periods</u>	<u>Number of Agreements</u>		
	<u>One Period</u>	<u>Two Periods</u>	<u>Other</u>
Total with provision	43	492	49
10 minutes each	30	249	1
12 minutes each	2	5	-
15 minutes each	6	206	-
20 minutes each	5	-	-
Varies by sex or time of day or employees covered	-	14	-
Other	-	18	48

WASH-UP TIME

In 29 per cent of the 891 agreements studied, covering 25 per cent of the employees, there were provisions for paid time for employees to clean up themselves and their work place, to change their clothes or to check out and put away their tools. These provisions were considerably more frequent in manufacturing (42 per cent) than in non-manufacturing agreements (14 per cent).

As the following tabulation shows, one period of five minutes and two periods of five minutes each were the most common formulas found in 32 per cent and 26 per cent of the provisions, respectively.

<u>Duration of Wash-up Periods</u>	<u>Number of Agreements</u>		
	<u>One Period</u>	<u>Two Periods</u>	<u>Other</u>
Total with provision	141	93	22
3 minutes each	6	8	-
5 minutes each	81	66	-
10 minutes each	27	5	-
15 minutes each	7	-	-
Varies by sex or time of day or employees covered	14	11	-
Other	6	3	22

Table 1

Company Pay for Union Business in Ontario Collective Agreements¹ Covering
200 or More Employees, by Industry, June 1976

Industry	Total studied		Number with provision for paid leave for:							
			Grievance handling		Negotiations		Safety Committees		General Meetings	
	Agrts	Empls	Agrts	Empls	Agrts	Empls	Agrts	Empls	Agrts	Empls
All Industries	891	761,337	674	557,619	241	162,564	98	130,798	366	358,766
Manufacturing	474	304,139	376	252,674	116	73,074	76	88,053	182	161,729
Food, Beverages	43	20,333	31	14,459	12	4,995	5	2,629	15	7,935
Tobacco	3	1,423	3	1,423	-	-	-	-	-	-
Rubber, Plastics	18	9,761	15	7,874	9	4,627	5	2,418	11	6,522
Leather	9	3,107	6	2,257	1	200	-	-	6	1,865
Textiles	27	11,476	26	11,276	3	885	3	1,004	14	6,877
Knitting Mills	3	795	2	520	1	220	-	-	-	-
Clothing	9	9,109	-	-	-	-	1	882	-	-
Wood	14	3,823	7	1,952	1	350	1	222	5	1,619
Furniture, Fixtures	13	4,550	10	3,773	2	542	3	842	3	910
Paper	41	17,621	19	8,407	5	1,568	4	1,343	20	7,488
Printing, Publishing	11	6,392	5	3,261	1	1,648	-	-	2	1,864
Primary Metals	30	32,489	23	23,159	3	760	8	15,203	12	17,419
Fabricated Metals	56	19,981	49	18,062	12	3,602	12	4,461	17	6,307
Machinery	27	16,383	23	14,248	9	4,184	4	6,005	12	11,134
Transportation Equip	58	82,668	57	82,405	20	27,542	7	41,008	27	66,082
Electrical Products	57	39,532	53	37,753	22	14,281	16	7,672	14	13,839
Non-Metallic Minerals	19	8,950	14	7,523	4	1,742	3	1,376	5	2,364
Petroleum, Oil	3	1,347	2	550	2	997	1	797	2	997
Chemicals	15	6,777	13	6,150	4	2,587	2	1,916	8	4,129
Miscellaneous Mfg.	18	7,622	18	7,622	5	2,344	1	275	9	4,378
Non-Manufacturing ¹	417	457,198	298	304,945	125	89,490	22	42,745	184	197,037
Forestry	12	6,177	2	1,800	-	-	-	-	2	1,787
Mining, Quarrying	19	25,286	13	23,213	1	203	9	21,122	8	17,204
Transportation	36	50,873	11	19,156	3	1,385	1	1,298	9	16,678
Storage	2	1,925	1	1,700	-	-	-	-	-	-
Communications	14	39,348	11	38,448	7	32,948	-	-	1	300
Electric, Gas, Water	14	19,635	11	18,543	8	3,050	4	16,061	6	16,372
Wholesale Trade	5	1,556	4	1,312	-	-	-	-	-	-
Retail Trade	17	34,832	13	32,609	6	14,281	-	-	6	14,509
Finance, Insurance, Real Estate	1	501	1	501	-	-	-	-	-	-
Education	56	27,405	48	18,537	23	8,824	4	1,046	35	11,391
Health, Welfare	100	38,075	88	33,512	58	22,135	3	2,893	42	15,782
Recreational Services	6	3,034	1	225	-	-	-	-	-	-
Management Services	9	5,199	8	2,999	2	552	-	-	1	325
Personal Services	15	6,964	7	3,045	2	651	-	-	1	372
Miscellaneous Services ...	2	530	1	321	-	-	-	-	-	-
Federal Admin.	50	93,071	48	92,048	-	-	-	-	47	91,457
Provincial Admin.	6	68,760	-	-	-	-	-	-	-	-
Local Admin.	53	34,027	30	16,976	15	5,461	1	325	26	10,860

1. Excludes construction industry.

Table 2

Paid Jury Duty, Bereavement Leave, Rest Periods and Wash-up Time, in Ontario Collective Agreements¹ Covering 200 or More Employees, by Industry, June 1976

Industry	Total studied		Number with provision for paid leave for:									
			Jury Duty		Bereavement		Close Relatives		Rest Periods		Wash-up Time	
					Immediate Family							
	Agrts	Empls	Agrts	Empls	Agrts	Empls	Agrts	Empls	Agrts	Empls	Agrts	Empls
All Industries	891	761,337	744	587,628	848	708,301	356	250,221	584	446,268	256	193,217
Manufacturing	474	304,139	413	274,511	460	297,477	165	78,773	316	200,216	197	124,406
Food, Beverages	43	20,333	39	18,968	41	19,407	21	9,225	38	18,199	7	2,474
Tobacco	3	1,423	2	777	3	1,423	3	1,423	3	1,423	-	-
Rubber, Plastics	18	9,761	18	9,761	18	9,761	1	410	14	7,517	5	2,180
Leather	9	3,107	4	1,285	8	2,727	4	1,155	8	2,907	5	1,617
Textiles	27	11,476	15	5,585	26	10,111	8	2,684	21	9,613	10	6,395
Knitting Mills	3	795	1	300	3	795	1	300	3	795	1	275
Clothing	9	9,109	2	1,490	8	8,659	1	2,896	5	5,001	-	-
Wood	14	3,823	11	3,110	14	3,823	2	437	13	3,547	-	-
Furniture, Fixtures	13	4,550	9	3,475	12	4,230	3	1,561	13	4,550	7	2,722
Paper	41	17,621	41	17,621	41	17,621	7	2,322	16	6,779	8	4,294
Printing, Publishing	11	6,392	9	5,766	11	6,392	6	3,744	1	1,648	-	-
Primary Metals	30	32,489	28	31,489	29	32,189	6	3,456	12	4,914	10	4,409
Fabricated Metals	56	19,981	55	19,683	56	19,981	21	7,775	42	14,955	34	11,702
Machinery	27	16,383	24	14,129	27	16,383	12	6,617	10	8,180	16	12,564
Transportation Equip.	58	82,668	53	80,996	57	82,427	11	4,431	47	77,003	38	49,639
Electrical Products	57	39,532	55	38,924	56	39,247	29	19,631	37	19,451	35	17,091
Non-Metallic Minerals	19	8,950	16	7,692	18	8,573	10	4,003	10	5,876	6	3,496
Petroleum, Oil	3	1,347	2	550	1	200	-	-	-	-	-	-
Chemicals	15	6,777	12	5,588	13	5,906	7	2,136	7	1,956	6	1,913
Miscellaneous Mfg.	18	7,622	17	7,322	18	7,622	12	4,567	16	5,902	9	3,635
Non-Manufacturing ¹	417	457,198	331	313,117	388	410,824	191	171,448	268	246,052	59	68,811
Forestry	12	6,177	12	6,177	12	6,177	-	-	11	5,540	2	1,787
Mining, Quarrying	19	25,286	16	24,053	19	25,286	2	728	2	728	5	1,948
Transportation	36	50,873	26	38,474	29	44,333	3	6,507	17	16,962	9	10,297
Storage	2	1,925	2	1,925	2	1,295	-	-	-	-	-	-
Communications	14	39,348	5	8,748	5	8,748	4	4,007	9	14,248	-	-
Electric, Gas, Water	14	19,635	12	19,120	14	19,635	8	3,090	7	16,983	2	14,858
Wholesale Trade	5	1,556	4	1,256	5	1,556	2	644	4	1,244	-	-
Retail Trade	17	34,832	16	33,632	16	33,632	10	16,085	17	34,832	-	-
Finance, Insurance, Real Estate	1	501	1	501	1	501	1	501	1	501	1	501
Education	56	27,405	50	21,388	55	26,405	27	16,322	46	21,247	4	1,257
Health, Welfare	100	38,075	93	35,577	100	38,075	49	16,299	87	34,034	11	5,234
Recreational Services	6	3,034	2	464	3	689	3	689	2	2,045	-	-
Management Services	9	5,199	5	2,034	7	2,674	6	2,462	4	3,584	-	-
Personal Services	15	6,964	2	948	15	6,964	3	2,052	7	3,118	1	337
Miscellaneous Services	2	530	-	-	-	-	-	-	1	321	-	-
Federal Admin.	50	93,071	47	91,553	48	92,048	47	91,457	28	76,829	19	28,972
Provincial Admin.	6	68,760	1	4,018	6	68,760	-	-	-	-	-	-
Local Admin.	53	34,027	37	23,249	51	33,416	26	10,605	25	13,836	5	3,620

1. Excludes construction industry.

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